

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES OF THE
STATE OF MONTANA

In the matter of the amendment of ARM)
37.30.405 pertaining to Vocational)
Rehabilitation Program Payment for)
Services)

NOTICE OF AMENDMENT

TO: All Interested Persons

1. On May 18, 2006, the Department of Public Health and Human Services published MAR Notice No. 37-381 at page 1223 of the 2006 Montana Administrative Register, issue number 10, regarding the proposed amendment of the above-stated rule.

2. The department has amended ARM 37.30.405 as proposed with the following changes from the original proposal. Matter to be added is underlined. Matter to be deleted is interlined.

37.30.405 VOCATIONAL REHABILITATION PROGRAM: PAYMENT FOR SERVICES (1) through (3) remain as proposed.

(4) The department may pay for the costs for the provision of any services that are authorized to be provided to the consumer through the consumer's IPE to the extent that the consumer's income and financial resources, determined as provided in this rule and ARM 37.30.407, do not exceed the maximum amounts allowable for income and for financial resources calculated by the department as provided for in (4)(a) and (b).

(a) The maximum allowable level for income is a prospective 12 month annual income calculated at 250% of the ~~2005~~ 2006 U.S. Department of Health and Human Services poverty guidelines for households of different sizes.

(b) through (6)(a) remain as proposed.

AUTH: 53-7-102, 53-7-206, 53-7-315, MCA

IMP: 53-7-102, 53-7-105, 53-7-108, 53-7-310, MCA

3. The department proposed to revise the maximum level of allowable income. The proposed amendment would revise this level by replacing the 2003 guidelines with the 2006 guidelines. While the Department is still adopting the new 2006 guidelines, it noticed that the text incorrectly reflected that the current version of the guidelines was shown to be the 2003 guidelines, when in fact the guidelines that were being updated were the 2005 guidelines. Currently the rule. provides that the maximum level is 250% of the 2003 U.S. Department of Health and Human Services poverty guidelines for households. The Department is therefore correcting the rule to show that the 2005 guidelines are being updated to the 2006 guidelines, for the same reasons as proposed in the proposal notice.

4. No comments or testimony were received.

/s/ Cary Lund
Rule Reviewer

/s/ Joan Miles
Director, Public Health and
Human Services

Certified to the Secretary of State July 17, 2006.